SINGLE BENCH

4

CF: 100/-

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)

WRIT PETITION (S) NO. 4200 /2006

PETITIONER Nilambar Prasad Patnaik, son of Late Shri Kanhu Prasad Patnaik, aged about 40 years, Assistant Teacher, Boys Middle School – Tamnar, Vikas Khand Tamnar, Distt Raigarh (C.G.)

P.R. No. 4264/06
Presented by Shri A.N. Shukla
Dated 4/8/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. Secretary, Department of School Education, D.K.S. Bhawan, Raipur (Chhattisgarh)
3. Collector, Distt. Raigarh (C.G.)
4. Distt. Education Officer, Distt. Raigarh (C.G.)
5. Assistant Commissioner Tribal Welfare, Distt. Raigarh (C.G.)

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4/8/06
H. C. G. BILASPUR

OATH COMMISSIONER
S.R. Kaushik

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 4200 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-8-2006 Mr. A.N. Bhakta, counsel for the petitioner. Mr. G.K. Beriwal, Deputy Advocate General for the State/ respondents, on advance copy. Heard both the counsel. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned his transfer order dated 16-6-2006 (Annexure P-2) passed by respondent No.4. The said transfer order has been made under rationalization scheme dated 1-6-2006. Under this scheme, if any person has any grievance, clause 7 of the scheme provides for an appeal. The impugned order has been passed by the Assistant Commissioner, Tribal Welfare. Therefore, as per sub-clause (2) of cause 7 of the rationalization scheme, the petitioner is entitled to prefer an appeal before the Commissioner, Tribal Welfare. Hence, alternative remedy is available to the petitioner and the petitioner may file appeal, if so advised. The time taken by the petitioner in filing this writ petition till its disposal be condoned, if the petitioner files appeal. With the observation and direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P No.3258/2006 also stands disposed. **Sd/-** **L.C.Bhadoo** **Judge**	
Soma		

P.T.O.